

INTER-OFFICE COMMUNICATION FROM
THE OFFICE OF
CLERK OF THE BOARD OF COUNTY COMMISSIONERS

June 9, 1987

TO: Jan Winters, County Administrator
Lisa Heasley, County Attorney's Office
Tom McEaddy, Asst. Co. Attorney
David Bludworth, State Attorney
Joy Shearer, Asst. Attorney General
Jerry Nolan, Sheriff's Office-Admin.
John Lehner, PZ&B
Bob Palchanis, Building Division
Patty Young, 4th Dist. Ct. of Appeals
Law Library
County Library (2)
Pinky Yount, PBC Municipal League, Inc.
1708 N. Lakeside Drive, Lake Worth, FL 33460
Judge Harrison, South County Courthouse
Judge Clark, South County Courthouse
Pat Veach, Finance - Diana Cain, Finance
Pat Neville, Finance - Solid Waste Authority
Denise Smyth, Finance - Allen Webb, Engineering
Richard Iavarone, Finance - Herb Kahlert, County Engineer
Water Utilities Dept

FROM: John W. Dame
Chief Deputy Clerk

RE: PALM BEACH COUNTY ORDINANCE DISTRIBUTION

ORDINANCE NO. 87-10

TITLE REFERENCE:

An Ordinance amending Ord's 82-17, 84-5 & 86-16 which provide for the creation of six municipal service taxing units in the unincorporated area of PBC..water service & sewage collection & disposal improvements.

Attached is a copy of the above referenced Ordinance of Palm Beach County. This Ordinance has been filed with Florida Department of State and forwarded to Municipal Code Corporation for codification. The effective date is June 8, 1987.

JWD/lc
attachment
cc: * Commissioners, BCC
Clerk of BCC
Minutes

* If a copy of ord. is needed please advise Ms. Lorie Clinger, Finance Department at 820-2959.

1 ORDINANCE NO. 87-10

2 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
3 PALM BEACH COUNTY, FLORIDA, AMENDING SECTIONS 30, 32,
4 33 AND 34 OF ORDINANCE 82-17, SECTIONS 7, 12, 13, 14,
5 15, 16, 17 AND 18 OF ORDINANCE 84-5 AND SECTION 2 OF
6 ORDINANCE 86-16 WHICH PROVIDE FOR THE CREATION OF SIX
7 (6) MUNICIPAL SERVICE TAXING UNITS IN THE
8 UNINCORPORATED AREAS OF PALM BEACH COUNTY, FLORIDA,
9 FOR THE PURPOSE OF PROVIDING CERTAIN PROCEDURES FOR
10 THE ADMINISTRATION AND IMPLEMENTATION OF WATER
11 SERVICE AND SEWAGE COLLECTION AND DISPOSAL
12 IMPROVEMENTS WITHIN EACH OF SAID SIX (6) EXISTING
13 UNITS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT;
14 SEVERABILITY; INCLUSION IN THE CODE OF LAWS AND
15 ORDINANCES AND EFFECTIVE DATE.

16 WHEREAS, it is appropriate to amend Ordinances 82-17, 84-5,
17 and 86-16 to include certain procedures for the administration and
18 implementation of water service and sewage collection and disposal
19 improvements within each of the six (6) municipal service benefit taxing
20 units established thereunder.

21 NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
22 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that:

23 Part I - Section 2 of Ordinance 84-5, as amended by Ordinance 86-16,
24 entitled "Creation, Purpose", is hereby amended to read as follows:

25 Section 2. Creation, Purpose.

26 A- There is hereby established five (5) Municipal Service
27 Taxing Units, pursuant to the authority granted in Section
28 125.01(1)(q)(r), Florida Statutes. Said Municipal Service Taxing Units
29 shall be known as "Municipal Service Taxing Units No. 1, No. 2, No. 3,
30 No. 4, and No. 5, respectively, and may be alternatively designated as
31 "Municipal Service Taxing Units A, B, C, D, and E, respectively, each of
32 which shall consist of a specific portion of all the unincorporated area
33 of the County of Palm Beach as described in the legal description for
34 each of said five (5) Municipal Service Taxing Units, as set forth in
35 Exhibit "A" attached hereto and incorporated herein for all purposes.
36 There is also hereby established an additional Municipal Service Taxing
37 Unit, to be known as "Municipal Service Taxing Unit Unincorporated-wide
38 No. 6," which shall consist of the entire unincorporated area of Palm
39 Beach County, as set forth in said Exhibit "A", and may be alternatively
40 designated as "Municipal Service Taxing Unit Unincorporated-wide F."

1 Each of said Municipal Service Taxing Units (hereinafter referred to as
2 Units) shall consist of the specifically described portion of all
3 unincorporated areas of Palm Beach County, except for Municipal Service
4 Taxing Unit Unincorporated-wide No. 6, which shall consist of the entire
5 unincorporated area of Palm Beach County, excepting all municipalities,
6 as said municipalities now exist and as said municipalities may from time
7 to time be changed in accordance with law. The purposes of each of said
8 Units shall be to provide within each of said corresponding Units, street
9 and road improvements intended to facilitate the passage and control of
10 vehicular traffic and pedestrians, and to provide street lighting and
11 street illumination so as to further promote safety and convenience of
12 travel in, upon, along, and across said streets by vehicular traffic and
13 pedestrians, and other improvements and facilities described in Section
14 8(E) of this Ordinance, and other purposes incidental hereto,
15 (hereinafter collectively referred to as "improvements" unless the
16 text indicates otherwise) pursuant to this Ordinance and in compliance
17 with law.

18 Part II - Section 5, entitled "Funding" of Ordinance 82-17, as amended by
19 Ordinance 84-5, is hereby amended to read as follows:

20 Section 5. Funding:

21 Each Municipal Service Taxing Unit created hereunder shall be
22 funded through the levy of an ad valorem tax, which together with all
23 other ad valorem taxes levied for municipal services within the unit
24 shall not exceed ten (10) mills, against the assessed value of all
25 lawfully taxable property situated within the boundaries of the
respective taxing unit; service charges, if any, special assessments, and
any other income or source of funds, attributable to the respective
taxing units. Any funds lawfully available from any source may be
utilized to fund the improvements made pursuant to this Ordinance.

30 However, in the case of an improvement for water service or sewage
31 collection and disposal only, intended at the time of completion
32 of construction of such improvement, for connection to the County
33 Water and Sewer System operated by the County Water Utilities
34 Department, the initial funding for the construction of such
35 improvements shall be from funds of the County Water Utilities

1 Department with such improvements to be the subject of special
2 assessments pursuant to the procedures of this Ordinance. Provided
3 however, that special assessments levied upon specially benefited
4 property within any of the Units established by this ordinance shall not
5 be made for the payment of regular electric utility service charges of
6 the utility company, presently known as Florida Power and Light Company,
7 for electric current supplied to the light improvements or other
8 improvements hereunder within each of said Units, unless capable of being
9 calculated for special assessment purposes.

10 Part III - Section 7 of Ordinance 84-5, entitled "Trust Fund" is hereby
11 amended by amending subsection B thereof:

12 B. Within each Trust Fund there shall be established ~~two~~
13 separate component trust funds, one for funds attributable to street
14 lighting improvements, if any, one and-the-other for funds attributable
15 to other street and road improvements, within each of said Units as
16 well as separate component trust funds each for those other
17 improvements and facilities described in Section 8(E) of this Ordinance.

18 No component trust funds for street lighting improvements or those
19 other improvements and facilities described in Section 8(E) of this
20 Ordinance need be established until budget line items for such street
21 lighting improvements are established by the Board of County
22 Commissioners for the applicable Unit.

23 Part IV - Section 12, entitled "Initial Petition", of Ordinance 82-17, as
24 amended by Ordinance 84-5, is hereby amended to read as follows:

25 Section 12. Initial Petition.

26 Property owners may petition the County Engineer or in
27 the case of an improvement for water service or sewage collection and
28 disposal only, intended at the time of completion of construction of
29 such improvement, for connection to the County Water and Sewer System
30 operated by the County Water Utilities Department, property owners may
31 petition the County Water Utilities Director, for an estimate of the cost
32 of construction for requested improvements under the provisions of this
33 Ordinance. Further, notwithstanding anything contained herein to
34 the contrary, in the case of an improvement for water service or
35 sewage collection and disposal only, intended at the time of

1 completion of such improvement, for connection to the County Water
2 and Sewer System operated by the County Water Utilities Department,
3 the County Water Utilities Director, in the place of the County
4 Engineer, shall perform those duties and obligations that would
5 otherwise be performed by the County Engineer as set forth in
6 Sections 12, 13, 14, 17, 20, 21 and 32 of this Ordinance. The
7 County Engineer will continue to receive the petitions and perform
8 those duties and obligations set forth in this ordinance for any
9 such water or sewage improvement not intended for said connection. The
10 County Engineer shall provide the petition form to any interested person.
11 Signatures on the petition, and the fact of execution by a majority of
12 such property owners, shall be verified by the County Engineer, upon the
13 basis of information in the Public Records. The County Engineer shall
14 also determine if sufficient right-of-way exists for the proposed
15 improvements which are the subject of this petition. In the event
16 sufficient right-of-way does not exist no further action shall be taken
17 on the petition unless and until sufficient right-of-way is obtained.
18 Part V - Section 13 of Ordinance 84-5, entitled "Petition Review," is
19 hereby amended as follows:

20 Section 13. Petition Review.

21 Petitions, wherein the majority ownership and right-of-way
22 conditions hereinabove required have been found by the County Engineer to
23 have been complied with shall be further processed by the County
24 Engineer, unless no improvements are deemed necessary, by preparing a
25 preliminary cost estimate which shall include, separately stated, all
26 ~~read~~ improvements ~~and/or-street-lighting-improvements~~ pursuant to said
27 petition, as considered necessary by the County Engineer for cost
28 estimate purposes. All such ~~read~~ improvements ~~or-street-lighting~~
29 ~~improvements~~ shall be constructed to County standards. An estimate of
30 fees, direct charges and administrative costs shall be included in the
31 preliminary estimate. The County Engineer may conduct an informational
32 meeting with property owners where deemed necessary by the County
33 Engineer or directed by the Board of County Commissioners. The Board of
34 County Commissioners may upon its own motion, direct the County Engineer
35 to prepare a preliminary cost estimate for specified ~~read~~ improvements

1 er-street-lighting-improvements even though no petition of property
2 owners has been presented or the majority ownership condition is not met.
3 In any case, the County Engineer shall include with his preliminary cost
4 estimate, a list of specially affected property owners, the status of any
5 petitions, and a report as to existing right-of-way. No further action
6 shall be taken unless sufficient right-of-way, exists to accommodate the
7 proposed road improvements er-street-lighting-improvements.

8 Upon completion of the preliminary cost estimate and the
9 approval of the Board of the percentage of cost to be specially assessed
10 and the method of such assessment, in situations where such approval is
11 required by this Ordinance, the County Engineer shall prepare a
12 preliminary assessment roll, which will indicate the tentative assessment
13 for each parcel. Such assessment shall be based upon a method of
14 assessment specifically provided by this ordinance or authorized by the
15 Board of County Commissioners.

16 Thereafter, all specially benefited property owners shall then
17 be notified of an informational meeting with the County Engineer, at
18 which the County Engineer will explain the proposed improvements, the
19 tentative assessment to each property, and the procedure thereafter to be
20 followed. Other necessary county personnel will attend said meeting as
21 directed by the Board of County Commissioners. The Board of County
22 Commissioners will not be required to attend said meeting, but any member
23 thereof may be present to observe said proceeding. The notification
24 required to be given for such meeting to be held by the County Engineer
25 shall consist of a notice published in a local newspaper of general
26 circulation, or if there be no local newspaper of general circulation,
27 then in any newspaper of general circulation in Palm Beach County. Said
28 publication shall be made once, at least ten (10) days before the
29 information meeting date. An additional courtesy notice of the County
30 Engineer shall also be mailed to each property owner, by regular mail, no
31 less than 10 days prior to the informational meeting date. The mail
32 notice shall be based on names and addresses found in the records of the
33 Property Appraiser or from such other sources the County Engineer deems
34 reliable. The mailed notice shall include the property owners' tentative
35 assessment applicable to the property to be assessed, provided however,

1 that in lieu of an informational meeting, the County Engineer may
2 distribute by regular mail, a comprehensive and detailed explanation of
3 the proposed ~~road~~ improvements ~~or-street-lighting-improvements~~ and the
4 reasons why same are necessary."

5 Part VI - Section 14 of Ordinance 84-5, entitled "Percentage of Cost,
6 Further Procedures," is hereby amended as follows:

7 Section 14. Percentage of Cost, Further Procedures.

8 Upon completion of the preparation of the preliminary cost
9 estimate and compliance with the requirements of Section 13 of this
10 Ordinance, the County Engineer shall proceed to bring the subject ~~road~~
11 improvements ~~or-street-lighting-improvements~~ to the Board of County
12 Commissioners for a public hearing thereon. Provided, however, that
13 prior to bringing said proposed improvements to the Board of County
14 Commissioners for public hearing, the County Engineer shall first bring
15 the matter to the Board for a determination of the method of special
16 assessment to be utilized, unless said method of assessment is proposed
17 by the County Engineer to be a front footage method, and for a
18 determination of a percentage of cost for the improvement which is to be
19 repaid to the applicable trust fund by special assessments upon the
20 specially benefited property, unless the proposed percentage of costs for
21 a road improvement, other than landscaping, is proposed by the County
22 Engineer to be 50% of the total cost, and 100% to landscaping, and 100%
23 as to a street lighting improvement. Provided however, that the Board
24 of County Commissioners at any time, in its sole discretion, may reject
25 the petition or project for any further consideration.

26 Part VII - Section 15 of Ordinance 84-5, entitled "Petition Form", is
27 hereby amended as follows:

28 Section 15. Petition Form.

29 The form of petition referred to in Section 13 above shall be
30 approved by the County Attorney as to legal form and sufficiency and
31 shall require a description of the proposed ~~road~~ improvements ~~or-street~~
32 ~~lighting-improvements~~ and a statement that the petitioners request that
33 the improvements be constructed and that they recognize that the
34 determination of special assessments will be made by the Board of County
35 Commissioners at a public hearing; and that they agree to be assessed for

1 the actual cost for construction of the ~~road~~ improvements ~~or-street~~
2 ~~lighting-improvements~~ including other allowable incidental costs
3 connected therewith, in an amount not to exceed the maximum allowed by
4 this ordinance.

5 Part VIII - Section 16 of Ordinance 84-5, entitled "Design and Funding",
6 is hereby amended as follows:

7 Section 16. Design and Funding.

8 Upon receipt of a petition for property owners or on its own
9 motion, the Board may authorize the design of improvements and the
10 solicitation of construction bids or other appropriate action. The Board
11 may authorize the expenditure of consultant design fees from the
12 applicable trust fund. The Board of County Commissioners may proceed
13 with an a-~~road~~ improvement ~~or-street-lighting-improvement~~ project
14 pursuant to this ordinance notwithstanding the absence of any petition by
15 property owners or the lack of a majority ownership petition, to the full
16 extent allowed by law, and regardless of whether the cost of said project
17 shall be paid by taxes, special assessments, service charges or other
18 funds lawfully available.

19 The construction contract shall not be awarded unless and until
20 the Board of County Commissioners has approved the subject ~~road~~
21 ~~improvement and/or-street-lighting-improvement~~ at the public hearing
22 required by §17 below.

23 Part IX - Section 17 of Ordinance 84-5, entitled "Public Hearing", is
24 hereby amended as follows:

25 Section 17. Public Hearing.

26 Prior to awarding the construction contract for construction of
27 the subject ~~road~~ improvements ~~or-street-lighting-improvements~~ for which
28 special assessments will be made, the Board of County Commissioners shall
29 hold a public hearing on the proposed project unless the Board determines
30 to reject the project from further consideration. The County Engineer
31 shall notify property owners owning property liable to be specially
32 assessed hereunder by regular mail of the time and place of said public
33 hearing. The mailed notices shall advise each property owner of his
34 individual estimated special assessment, per parcel, as based on the
35 lowest acceptable bid, including other allowable costs and the percentage

1 and method of assessment determined in accordance with the above
2 provisions of this ordinance. The public hearing should be held not
3 later than eight (8) weeks after the date the construction bids are
4 received and no sooner than two (2) weeks after the mailing of the
5 notices described in this paragraph. Addresses for mailed notices shall
6 be obtained by the County Engineer from the records of the Property
7 Appraiser or from such other sources as the County Engineer deems
8 reliable. In addition, a notice shall be published once each week for
9 two consecutive weeks in a newspaper of general circulation in the
10 locality or if there is no newspaper of general circulation in the
11 locality, then said notice shall be published in a newspaper of general
12 circulation in Palm Beach County. The last such publication shall be no
13 less than one (1) week prior to the public hearing. In the event of a
14 determination to proceed with the project, after said public hearing the
15 Board of County Commissioners shall so proceed by resolution as provided
16 for in Section 18 of this Ordinance.

17 Ten days notice in writing of the time and place of the public
18 hearing shall be given to such property owners, and shall be served by
19 regular mail of a copy of said notice to such property owners. The mail
20 notice and publication notice shall describe the streets or other areas
21 to be improved and advise all persons interested that each property to be
22 assessed and each amount to be assessed to each parcel of property may be
23 ascertained at the Office of the Clerk of the Board of County
24 Commissioners. At said public hearing the owners of the property to be
25 specially assessed or any other persons interested, may appear before the
26 Board of County Commissioners and be heard as to the propriety and
27 advisability of making such improvements, as to the costs thereof, as to
28 the manner of payment thereof and as to the amount thereof to be
29 specially assessed against each property so improved.

30 At the public hearing, the County Engineer shall present to the
31 Board of County Commissioners an assessment roll prepared in accordance
32 with the method and percentage of assessment provided for by this
33 ordinance and which assessment roll shall be completed and filed with the
34 Board of County Commissioners at the time of said public hearing. Said
35 assessment roll shall show the lots and lands assessed, the amount of the

1 benefit to and the assessment against each lot or parcel of land, and if
2 said special assessment is to be paid in installments, the number of
3 annual installments into which the special assessment is divided shall
4 also be entered and shown upon said assessment roll.

5 At the time and place named in the notice of public hearing
6 provided, the Board of County Commissioners shall meet as an equalizing
7 board to hear and consider any and all complaints as to such special
8 assessments and shall adjust and equalize and approved by resolution of
9 the Board of County Commissioners, such assessment shall stand affirmed
10 and remain legal, valid and binding as a first lien upon the property
11 against which such assessment is made, until paid; provided however, that
12 upon completion of the ~~read-improvement-or-street-lighting~~ improvements,
13 the Board of County Commissioners shall credit to each of said
14 assessments the difference in the assessment as originally made, approved
15 and confirmed above and the proportionate part of the actual costs of
16 said improvement to be paid by special assessments finally determined
17 upon completion of said improvement, provided that in no event shall the
18 final assessments exceed the amount of benefits originally assessed by
19 the Board of County Commissioners. Promptly after such confirmation of
20 assessment the assessment shall be recorded by the Clerk of the Board of
21 County Commissioners in a special book to be known as the "Improvements
22 Lien Book" and the record of the lien in said book shall constitute prima
23 facie evidence of its validity. Notwithstanding the above, a copy of the
24 resolution referred to above shall be recorded in the official records of
25 the Clerk of the Circuit Court of Palm Beach County so as to facilitate
26 knowledge thereof by third parties.

27 Part X - Section 19 of Ordinance 82-17, as amended by Ordinance 84-5
28 (renumbered therein to Section 18), entitled "Declare Special Assessment",
29 is hereby amended as follows:

30 Section 18. Declare Special Assessment.

31 In the event the Board of County Commissioners determines to
32 proceed to make any ~~read improvement or-street-lighting-improvements~~
33 authorized by this Ordinance and to defray part of the expense thereof by
34 special assessments, the Board shall so declare by Resolution stating the
35 nature of the proposed improvement, designating the street or streets

1 or other areas to be so improved, the method in which said assessments
2 shall be made, and when said assessments are to be paid. Said Resolution
3 shall also designate the lands upon which the special assessment shall be
4 levied, and shall also state the total estimated costs of the
5 improvement. Road improvement and street lighting improvement costs,
6 and costs for any other improvement authorized herein, as applicable,
7 shall be separately stated. Such estimated costs shall include an
8 estimate of construction costs and consultant fees, permit fees, the cost
9 of preliminary and other surveys, inspections, and superintendence of the
10 work, the preparation of the plans and specifications and the estimate,
11 the printing, mailing and publishing of notices and proceedings, the
12 preparation of certificates bonds, and any other expenses necessary or
13 proper.

14 Part XI - Section 24, entitled "Priority of Lien, Interest and Method of
15 Payment of Special Assessments," of Ordinance 82-17 as amended by
16 Ordinance 84-5 (renumbered therein to Section 19), is hereby amended as
17 follows:

18 Section 19. Priority of Lien, Interest and Method of Payment
19 of Special Assessments.

20 Said special assessment shall be payable at the time and in the
21 manner stipulated in the Resolution providing for said improvements, and
22 said special assessments shall remain liens, inferior to the lien of all
23 federal, state, county, district and municipal taxes, but superior in
24 dignity to all other liens, titles and claims until paid, and shall bear
25 interest at a rate not to exceed 10% per annum from the date of the
26 acceptance of said improvement and may, by the Resolution aforesaid, be
27 made payable in not more than ten (10) equal annual installments, if
28 installments are allowed by the Board, to which installments, if not paid
29 when due there shall be added & additional interest penalty at the rate
30 of 10% 8% 4% per month annum, upon the due but unpaid ~~principal portion~~
31 of the installment(s) or portion thereof, outstanding at the end of
32 each month; provided that said assessments may be paid without interest
33 at any time within thirty (30) days after the improvement is completed
34 and a motion accepting the same has been adopted by the Board.
35 Notwithstanding any provisions in this Ordinance to the contrary, no

1 interest, charges or other payments in excess of those permitted by law
2 shall accrue or become payable hereunder and any excessive payments which
3 may be made shall be applied to principal in reduction of the balance of
4 the said assessments. Said special assessment shall be payable at the
5 Office of the Clerk of the Circuit Court. Certificates of Indebtedness,
6 under Sections 26 and 27 of this Ordinance shall not be prepared unless
7 specifically required by the Board of County Commissioners for the
8 particular project by resolution of the Board of County Commissioners.
9 Part XII - Section 30 of Ordinance 82-17, entitled "Payments", is hereby
10 amended as follows:

11 Section 30. Payments.

12 Billing, receiving and accounting for the payment of
13 assessments shall be the responsibility of the Clerk of the Circuit
14 Court. A record of payments and balances shall be kept for each property
15 assessed. All payments received shall be deposited into the applicable
16 Trust Fund, or deposited as otherwise provided in this Ordinance. A
17 tabulation of accounts shall be provided by the Clerk of the Circuit
18 Court.

19 Part XIII - Section 32 of Ordinance 82-17, entitled "Priority of
20 Petitions and Record Keeping", is hereby amended as follows:

21 Section 32. Priority of Petitions and Record Keeping.

22 Except for Board designated emergencies requiring 4/5 vote of
23 the Board petitions heretofore received shall be processed in the order
24 in which they are received and shall be considered at an appropriate
25 entry level within the procedural requirements established by this
26 Ordinance. All petitions hereafter received for consideration under this
27 Ordinance shall be numbered in the order in which they are received. The
28 County Engineer shall maintain a tabulation of numbered petitions along
29 with the dates of filing, hearings, preliminary estimates, the final cost
30 and balance remaining in the applicable Trust Fund. No contracts for
31 construction shall be awarded unless sufficient funds are available for
32 all committed projects with no less than a fifteen (15%) percent reserve
33 based on a total sum for all committed projects.

1 Part XIV - Section 33 of Ordinance 82-17, entitled "Implementation by
2 Corporation, Full Special Assessment Allowed," is hereby amended as
3 follows:

4 Section 33. Implementation by Corporation, Full Special
5 Assessment Allowed.

6 The Board of County Commissioners in the name of County, may
7 contract with Florida not-for-profit corporations to engage in or
8 facilitate the construction of the ~~road-and-street~~ improvement projects
9 authorized by this Ordinance, when deemed appropriate, and may permit
10 said corporation to advance funds for said project, and to construct and
11 maintain said project. Said advancement of funds shall be reimbursed
12 only by special assessments actually collected. In such instance County
13 shall require adequate indemnification and insurance protection to be
14 furnished by the Corporation for County's benefit. Moreover, in such
15 instance the percentage of the cost of ~~road~~ improvements under this
16 Ordinance to be paid by said special assessments may be equal to the
17 total cost of said improvement, but shall not exceed said cost.

18 Part XV - Section 34 of Ordinance 82-17, entitled "Provisions
19 Supplemental," is hereby amended as follows:

20 Section 34. Provisions Supplemental.

21 This Ordinance shall be deemed to provide a supplemental,
22 additional and alternative method of procedure for the benefit of the
23 County and shall not apply to ~~road~~ improvements done pursuant to any
24 other law.

25 Part XVI - Savings Clause - This Ordinance shall affect or impair the
26 processing and implementation of any improvement project commenced under
27 the provisions of Ordinances No. 82-17, 84-5 or 86-16.

28 Part XVII - Repeal of Laws in Conflict.

29 All local laws and ordinances applying to the unincorporated
30 area of Palm Beach County in conflict with any provisions of this
31 ordinance are hereby repealed.

32 Part XVIII - Severability.

33 If any section, paragraph, sentence, clause, phrase, or word of
34 this ordinance is for any reason held by the Court to be

1 unconstitutional, inoperative or void, such holding shall not affect the
 2 remainder of this ordinance.

3 Part XIX - Inclusion in the Code of Laws and Ordinances

4 The provisions of this ordinance shall become and be made a
 5 part of the code of laws and ordinances of Palm Beach County, Florida.
 6 The Sections of the ordinance may be renumbered or relettered to
 7 accomplish such, and the word "ordinance" may be changed to "section,"
 8 "article," or any other appropriate word.

9 Part XX - Effective Date

10 The provisions of this ordinance shall become effective upon
 11 receipt of acknowledgement by the Secretary of State.

12 APPROVED AND ADOPTED by the Board of County Commissioners of
 13 Palm Beach County, Florida, on the 26th day of May, 1987.

14 PALM BEACH COUNTY, FLORIDA, BY ITS
 15 BOARD OF COUNTY COMMISSIONERS

16 By John B. Dunkle Chairman
 17

18 APPROVED AS TO FORM AND
 19 LEGAL SUFFICIENCY

20 J. C. M. M.
 21 County Attorney
 22 JOHN B. DUNKLE, CLERK
 23 Board of County Commissioners
 24 By Patricia S. Weaver
 25 DEPUTY CLERK

26 Acknowledgement by the Department of State of the State of
 27 Florida, on this, the 4th day of June, 1987.

24 EFFECTIVE DATE: Acknowledgement from the Department of State
 25 received on the 8th day of June, 1987, at 1:35
 26 P.M., and filed in the Office of the Clerk of the Board of County
 27 Commissioners of Palm Beach County, Florida.

STATE OF FLORIDA, COUNTY OF PALM BEACH
 I, JOHN B. DUNKLE, ex-officio Clerk of the
 Board of County Commissioners certify this to
 be a true and correct copy of the original filed in
 my office on 5/26/87
 DATED at West Palm Beach, FL on 6/9/87
 JOHN B. DUNKLE, Clerk
 By: Dee Clegg D.C.

Dee Clegg
 Deputy Clerk